

REMARKS:

Applicants offer the following remarks:

Elements l. and m. have been added to Claim 1 to reflect that by reference back to the preamble of the claim that the invention relates to the combination of the described thermal reservoir, associated valving and piping in a two-pipe hydronic air-conditioning system. Applicants respectfully suggest this amendment cures the concerns reflected in the second large paragraph of Page 2 of the Office Communication in question.

In the course of studying the Office Communication, Applicants also realized that Claims 10 and 15 should be cancelled, and does by this Response do so, as those were dependent on Claim 5 which was cancelled in Applicant's May 6, 2005 Response to Office Action.

As to Examiner's comments regarding election of a single species, Applicants respectfully traverse, note that Claims 11 through 15 were previously held allowable, and alternatively (provisionally) elect Claim 11.

Applicants further traverse, respectfully suggesting the claims of the application, as currently amended represent only one invention. Claim 1 (the only independent claim of the application) defines the invention most broadly - a thermal reservoir in interconnected combination with a two-pipe hydronic air-conditioning system. Claims 2 through 4 of the application define specific permutations in the tank means of the system, provide said tank means may be cylindrical with a movable piston divider (Claim 2), may be multiple cylindrical tanks with a movable piston (Claim 3), or that instead of being divided by movable piston may be divided by elastic membrane (Claim 4).

Continuing, Claims 6 through 10 represent connection of said *thermal reservoir* (as respectively embodied in Claims 1 through 4) in *parallel* with the two-pipe hydronic air-

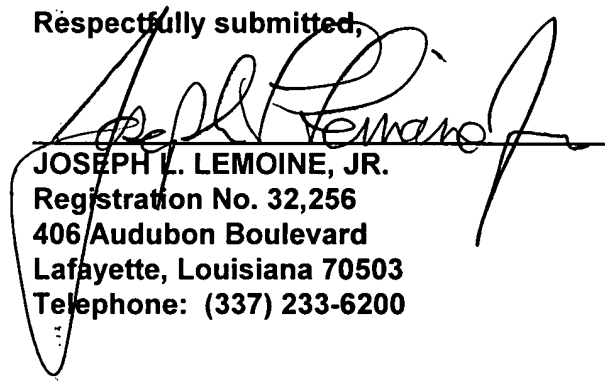
conditioning system - and - Claims 11 through 14 represent connection of the *thermal reservoir* (of Claims 1 through 4) in series with the two-pipe hydronic air-conditioning system.

Accordingly we respectfully submit that the dependent claims do not represent distinct "species" but only reasonably proximate variations of a single invention - alternatively, if the dependent claims be considered "species," then Claim 1 as now amended is "generic" to them - accordingly, all currently pending claims should be found allowable.

CONCLUSION:

Counsel for Applicants thanks the Examiner for assistance provided in telephone conference of September 29, 2005 and respectfully invites the Examiner to call Counsel for Applicants, Joseph L. Lemoine, Jr., 337-233-6200 if further conference may appear helpful to advance the application to conclusion.

Respectfully submitted,



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CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendments, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450, on September 29, 2005.

JOSEPH L. LEMOINE, JR.

Name of Registered Representative

Signature

September 29, 2005

Date of Signature

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